THE HON'BLE SRI JUSTICE V.V.S.RAO

WRIT PETITION No.17635 of 2006

Dated:01.09.2006

Between:

B.Chandra Sekhar

…Petitioners

and

The District Registrar and another.

…Respondents

THE HON'BLE MR JUSTICE V.V.S.RAO

WRIT PETITION No.17635 of 2006

ORDER:

The petitioner is a resident of Proddutur Town in Kadapa District. He purchased the land admeasuring Acs.4.74 cents in Survey No.376 situated at Thollaganganapalle Village of Valluru Mandal in Kadapa District, in a public auction conducted by the Senior Inspector/Sale Officer, Kadapa District Cooperative Central Bank Limited, Kadapa. The sale was conducted in execution of Award No.52/2006-07 dated 24.04.2006 passed by the Special Cadre Deputy Registrar/Officer on Special Duty, Kadapa District Cooperative Central Bank Limited, in favour of the said Bank. After purchase, the petitioner was put in possession of the property. He wanted to sell the land for his needs, and therefore, he approached the second respondent for advice. He was informed that the land purchased by the petitioner was originally assigned to one K.Narasimhulu who mortgaged the property to the District Cooperative Central Bank Limited, Kadapa, and therefore, the land cannot be sold. Aggrieved by the same, the petitioner filed the present Writ Petition.

As at now the petitioner has not submitted any document alienating the property in question. When a document is presented for registration, the second respondent, who is the Registering Officer under the provisions of the Registration Act, 1908, is bound to consider

the document for the purpose of registration and if for any purpose the same cannot be registered, such Officer has to record and furnish the reasons. The petitioner is therefore, given liberty to submit the document, which he wants to register, to the second respondent. As and when the same is received, the second respondent shall consider the same and if for any reason the registration cannot be done, he shall pass appropriate orders and communicate the reasons to the petitioner.

The Writ Petition is accordingly disposed of. No costs.

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(V.V.S.RAO, J)

01.09.2006
vs